

LEWIS
ANDROCA
LLP

L A W Y E R S

E-Filed on 8/14/07

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Attorneys for USACM Liquidating Trust

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

In re:

USA COMMERCIAL MORTGAGE
COMPANY,

USA CAPITAL REALTY ADVISORS, LLC,

USA CAPITAL DIVERSIFIED TRUST
DEED FUND, LLC,

USA CAPITAL FIRST TRUST DEED FUND,
LLC,

USA SECURITIES, LLC,

Debtors.

Case Nos.:

BK-S-06-10725-LBR

BK-S-06-10726-LBR

BK-S-06-10727-LBR

BK-S-06-10728-LBR

BK-S-06-10729-LBR

JOINTLY ADMINISTERED
Chapter 11 Cases

Judge Linda B. Riegle Presiding

**NOTICE OF HEARING ON
MOTION FOR SUBSTITUTION OF
PARTY AND COUNSEL**

Affects:

☐ All Debtors

☒ USA Commercial Mortgage Company

☐ USA Capital Realty Advisors, LLC

☐ USA Capital Diversified Trust Deed Fund, LLC

☐ USA Capital First Trust Deed Fund, LLC

☐ USA Securities, LLC

Hearing Date: October 15, 2007

Hearing Time: 9:30 a.m.

NOTICE IS HEREBY GIVEN that the USACM Liquidating Trust (the "USACM Trust"), by and through its counsel, Lewis and Roca LLP, filed its Motion for Substitution of Party and Counsel on August 14, 2007 [DE 4498], requesting that the USACM Trust be substituted for USA Commercial Mortgage Company pursuant to § IV.D.1 of Debtors' Third Amended Joint Plan of Reorganization as the objecting party in the Objection to

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Proof of Claim No. 1099 filed by Del and Ernestine Bunch [DE 2023] and Lewis and Roca LLP be substituted as Counsel for the USACM Trust.

Any Opposition must be filed pursuant to Local Rule 9014(d)(1):

Local Rule 9014(d)(1): "Oppositions to a motion must be filed and service must be completed on the movant no later than fifteen (15) days after the motion is served except as provided by LR 3007(b) and LR 9006. If the hearing has been set on less than fifteen (15) days' notice, the opposition must be filed no later than five (5) business days before the hearing, unless the court orders otherwise. The opposition must set forth all relevant facts and any relevant legal authority. An opposition must be supported by affidavits or declarations that conform to the provisions of subsection (c) of this rule."

If you object to the relief requested, you must file a written response to this pleading with the Court. You must also serve your written response on the person who sent you this notice.

If you object to the relief requested, you *must* file a **WRITTEN** response to this pleading with the Court. You *must* also serve your written response on the person who sent you this notice.

If you do not file a written response with the Court, or if you do not serve your written response on the person who sent you this notice, then:

- The Court may *refuse to allow you to speak* at the scheduled hearing; and
- The Court may *rule against you* without formally calling the matter at the hearing.

NOTICE IS FURTHER GIVEN that the hearing on said Motion will be held before a U.S. Bankruptcy Judge, in Courtroom No. 1 at 300 Las Vegas Blvd, South, Las Vegas, NV on **October 15, 2007** at the hour of **9:30 a.m.**

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LAWYERS

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DATED: August 14, 2007.

LEWIS AND ROCA LLP

By /s/ RC (#006593)
Susan M. Freeman, AZ 4199 (pro hac vice)
Rob Charles, NV 6593
Counsel for USACM Liquidating Trust

Proof of Service

COPY of the foregoing served via email where an email address is listed, and if no email address is listed, by first class mail, postage prepaid, on August 14, 2007, to all parties listed addressed on the Post Effective Date Official Service List on file with this Court, and to:

Del and Ernestine Bunch
1909 Red Robin Court
Las Vegas, NV 89134-6157
pro se

/s/ Christine E. Laurel
Christine E. Laurel
Lewis and Roca LLP